

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, MARCH 8, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Township Attorney
Jerome R. Schmeiser, Planning Consultant
James VanTiflin, Consulting Engineer
(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Several Paid-on-Call Firefighters were presented to the Board by Captains Richard Koss and David Myny and congratulated on having completed their two year probationary period.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 12 and 31 were tabled indefinitely, and items 27a and 27 b were added.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF PREVIOUS MEETING MINUTES

3. The minutes of the previous meeting held on February 22, 2006 were reviewed and discussed.

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MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of February 22, 2006 as amended.

MOTION carried.

5. Consent Agenda Items:

A. Clerks Department:

- 1. Bond Release, Pedestrian Bridge, Brook Run South**
- 2. Bond Release, Wall Sign, Rocko's Pet Depot**
- 3. Bond Release, Model Permit; Koss Farms, Lot 71**
- 4. Bond Release, Model Permit; Rivers Estates, Lot 3**
- 5. Bond Release, Model Permit; Rivers Estates, Lot 1**
- 6. Bond Release, Wall Sign; Summit Urgent Care**
- 7. Bond Release, Partial Site Plan; Waldenburg Plaza**
- 8. Bond Release, Site Plan; Strathmore Condos, Phase 1**

B. Human Resources Department:

- 1. Request for Personal Leave of Absence POCFF Michael McIntyre.**

MOTION by BUCCI seconded by KRZEMINSKI to approve and file the Consent Agenda items as presented.

MOTION carried.

**6. Public Comments
(Agenda and Non Agenda items only - 3 minute time limit)**

Mr. Andrew Prasiloski addressed the Board regarding the single waste hauler issue. He suggested that the Board consider a clause in the pending contract to require the use of bio-diesel fuels. He also said that he would forward information on an upcoming Alternate Fuel Conference to the Supervisor's office.

PLANNING COMMISSION:

- 7. Land Division Variance for Landscaping; Lone Star Estates; Polson Development, Petitioner; Permanent Parcel No. 08-22-400-016**

MOTION by KRZEMINSKI seconded by BUCCI to approve the Land Division Variance for landscaping for Lone Star Estates until June 1, 2006.

MOTION carried.

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8. **Land Division Variance for Sidewalks;** Legacy Farms Subdivision #1; Located west of Fairchild Road, ¼ mile north of 22 Mile Road; GTR Builders, Petitioner; Permanent Parcel No. 08-24-401-004

MOTION by KRZEMINSKI seconded by MALBURG to approve the Land Division Variance for the eight foot pathway and developer responsible sidewalks for Legacy Farms Subdivision Phase 1 until June 1, 2006.

MOTION carried.

9. **Land Division Variance for Landscaping, etc;** Pinnacle Woods; Located south of 23 Mile Road west of Fairchild Road; Dominic Geric, Petitioner; Permanent Parcel No. 08-24-226-018

MOTION by DUNN seconded by KRZEMINSKI to approve the Land Division Variance for landscaping, pathways, curb drops and monuments for the Pinnacle Woods Subdivision until June 1, 2006.

MOTION carried.

10. **Land Division Variance for Stub Streets;** Strawberry Fields Site Condos; Located north of 22 Mile Road west of Garfield Road; Excel Properties, Petitioner; Permanent Parcel No. 08-19-400-001

MOTION by MALBURG seconded by KRZEMINSKI to approve the Land Division Variance for stub streets to the west and north for Strawberry Fields Site Condominiums.

MOTION carried.

OLD BUSINESS:

11. **Request for Liquor License; McDonalds of Macomb, Final Review;** Located on the southeast corner of 23 Mile Road and Card Road (except the immediate corner); McDonald's of Macomb, LLC. Permanent Parcel No. 08-23-100-029. (21940 23 Mile Road)

MOTION by BUCCI seconded by KRZEMINSKI to adopt a resolution granting a liquor license to McDonalds of Macomb.

AYES: BUCCI, KRZEMINSKI, MALBURG, DUNN, NEVERS, KOEHS, BRENNAN

NAYS: NONE

MOTION carried, resolution declared adopted.

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12. **Request for Liquor License, Pre-Qualification Review; Boogie Fever;** Located on the corner of Hayes Road and Hall Road; Karma Holdings, LLC, Petitioner.

This matter was tabled indefinitely at the petitioner's request.

NEW BUSINESS:

13. Request to schedule a public hearing date for a Street Lighting Special Assessment District, Tesner Park Subdivision, Section 35. **(March 22, 2006)**

MOTION by BUCCI seconded by DUNN to schedule a public hearing for creating a special assessment district for street lighting for Tesner Park Subdivision for Wednesday, March 22, 2006.

MOTION carried.

14. **Request for a Temporary Certificate of Occupancy;** Tim Crawford Insurance Agency at Stratford Plaza; 21852 23 Mile Road; Permanent Parcel Number 08-23-100-029.

Mr. Tim Crawford, Petitioner, was present to answer any questions from the Board.

MOTION by DUNN seconded by MALBURG to approve a temporary certificate of occupancy for the Tim Crawford Insurance Agency at 21852 23 Mile Road until June 1, 2006.

MOTION carried.

15. **Request for a Temporary Certificate of Occupancy;** Oliver's Pizza at Stratford Plaza; 23 Mile Road and Card Road; Icon Building, Petitioner; Permanent Parcel Number 08-23-100-029.

Mr. Warren Block, Petitioner, was present to answer any questions from the Board.

MOTION by DUNN seconded by NEVERS to approve a temporary certificate of occupancy for Oliver's Pizza at the Stratford Plaza at 23 Mile Road and Card Road until June 1, 2006.

MOTION carried.

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16. **Request for a Temporary Certificate of Occupancy;** Intelligent Cellular at Stratford Plaza; 23 Mile Road at Card Road; Icon Building, Petitioner; Permanent Parcel Number 08-23-100-029.

Mr. Warren Block, Petitioner, was present to answer any questions from the Board.

MOTION by BUCCI seconded by KOEHS to approve a temporary certificate of occupancy for Intelligent Cellular at the Stratford Plaza at 23 Mile road and Card Road until June 1, 2006.

MOTION carried.

17. **Request for a Temporary Certificate of Occupancy;** Pro-quality Flooring; Crosswinds Corners at the northeast corner of Hall and Hayes Roads; Adams/Snevis Assoc., Petitioner; Permanent Parcel Number 08-31-300-026.

MOTION by KOEHS seconded by NEVERS to approve a temporary certificate of occupancy for Pro-Quality Flooring at Crosswinds Commons located at 15437 Hall Road until March 8, 2007.

MOTION carried.

18. **Request for a Temporary Certificate of Occupancy;** Lakeside Mattress; Crosswinds Corners at the northeast corner of Hall and Hayes Roads; Adams/Snevis Assoc., Petitioner; Permanent Parcel Number 08-31-300-026.

MOTION by KRZEMINSKI seconded by BUCCI to approve a temporary certificate of occupancy for Lakeside Mattress at Crosswinds Commons located at 15433 Hall Road until March 8, 2007.

MOTION carried.

19. **Request for a Temporary Certificate of Occupancy;** Fire Station Number 4; Located on 25 Mile Road at Garfield Road; Macomb Township Fire Department, Petitioner

MOTION by KOEHS seconded by DUNN to approve a temporary certificate of occupancy for Macomb Township Fire Station Number 4 on until March 8, 2007.

MOTION carried.

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20. **Request for Model Permits;** Lots 74, 137, 138, 139; Pinnacle Woods Subdivision; Located south of 23 Mile Road west of Fairchild Road; Landtec of Macomb, Petitioner

MOTION by NEVERS seconded by KRZEMINSKI to approve the model permits for lots 74, 137, 138 and 139 in the Pinnacle Woods Subdivision.

MOTION carried.

21. **Request Authorization for Legal Defense;** Magnoli vs. Macomb Township

MOTION by DUNN seconded by KRZEMINSKI to authorize legal counsel to defend the Township in the matter of Magnoli vs. Macomb Township.

MOTION carried.

22. **Request Authorization for Legal Defense;** Romeo Plank Investors vs. Macomb Township

MOTION by KRZEMINSKI seconded by KOEHS to authorize legal counsel to defend the Township in the matter of Romeo Plank Investors vs. Macomb Township.

MOTION carried.

BUILDING DEPARTMENT:

23. **Request to attend Training Seminar**

MOTION by KRZEMINSKI seconded by DUNN to approve the Building Officials request to send Inspectors Norman Mathon, Thomas Moilanen and George Ryan to their required training conferences.

MOTION carried.

WATER AND SEWER DEPARTMENT:

24. **Request for Authorization to proceed with Replacement Pump;** Station #7 at 23 Mile Road and Romeo Plank Road.

MOTION by KRZEMINSKI seconded by NEVERS to approve the Water & Sewer Department to proceed with the replacement pump project for Station #7 on 23 Mile road, east of Romeo Plank Road.

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**AYES: KRZEMINSKI, NEVERS, DUNN, BUCCI, MALBURG, KOEHS,
BRENNAN**

NAYS: None

MOTION carried.

MOTION by KRZEMINSKI seconded by NEVERS to authorize commencement of property condemnation regarding the Station #7 pump issue if an agreement cannot be reached with the property owner.

MOTION carried.

25. **Request to Approve Clinton River Watershed Cost Share Allocation for 2006.**

MOTION by DUNN seconded by NEVERS to approve payment of the Clinton River Watershed Cost Share allocation in the amount of five thousand five hundred eighty three dollars and ten cents (\$5,583.10).

MOTION carried.

26. **Purchase Requisition – SLC Meter**

MOTION by BUCCI seconded by KRZEMINSKI to approve the purchase requisition for SLC Meters.

MOTION carried.

BOARD COMMENTS:

27. **Supervisor Comments:**

A. **Request to offer employment for a new Fire Chief.**

Supervisor Brennan indicated that the search and interview process was completed and that he was asking for authorization to offer employment to Robert Phillips as Macomb Township Fire Chief.

MOTION by KOEHS seconded by NEVERS to authorize the Supervisor to offer employment to Robert Phillips as Macomb Township Fire Chief.

MOTION carried.

B. **County Grant for Drain Cleaning**

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Supervisor Brennan explained the Drain Cleaning grants procedure and that it required 50/50 matching funds. He also indicated that while we should all support this type of endeavor, it was not appropriate to spend Township funds on a County Drain issue.

MOTION by KRZEMINSKI seconded by NEVERS to not apply for any funds from the Macomb County Drain Cleaning grant.

MOTION carried.

28. Clerk Comments:

A. Eagle Scout Resolution – Nicholas Watts

MOTION by KRZEMINSKI seconded by MALBURG to adopt the Resolution for Eagle Scout Nicholas Watts and proclaim March 31 as ‘Nicholas Watts Day’ in Macomb Township.

Resolution Honoring Eagle Scout Nicholas Watts

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 8th day of March, 2006 at 7:00 PM the following preamble and resolution were offered by member Krzeminski and supported by member Malburg:

Whereas, Nicholas Watts started his scouting career with Pack 149 during which time he received his Arrow of Light; and,

Whereas, Nicholas Watts continued his scouting career with Boy Scout Troop 248 where he has distinguished himself by earning twenty-eight merit badges; and,

Whereas, Nicholas Watts has served as Assistant Senior Patrol Leader, Patrol Leader, and Senior Patrol Leader; and,

Whereas, Nicholas Watts is a student at Dakota High School where he is a member of the Junior Class Council and by his own actions and high moral standards has made himself a role model to other scouts and his peers,

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Trustees recognizes the dedication, commitment and personal sacrifices Nicholas Watts has made to obtain the rank of Eagle Scout; and,

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Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Nicholas Watts on his elevation to Eagle Scout and furthers extends its best wishes to Nicholas in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims, Friday, March 31, 2006 Nicholas Watts Day in Macomb Township

AYES: KRZEMINSKI, MALBURG, BUCCI, NEVERS, DUNN, KOEHS,
BRENNAN

NAYS: NONE

MOTION carried, resolution declared adopted.

29. Treasurer Comments: NONE

30. Trustees Comments: NONE

EXECUTIVE SESSION:

31. Tiamo, LLC vs. Macomb Township

This matter was tabled at the request of Township Legal Counsel.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the meeting at 8:05 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk